

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bacus and Smith

Application No. 10/735,118

Filed: December 11, 2003

Confirmation No. 4570

For: METHOD FOR PREDICTING THE
RESPONSE TO HER2-DIRECTED
THERAPY

FILED VIA EFS

Examiner: Laura B. Goddard

Art Unit: 1642

Attorney Reference No. CST-213

FILED VIA EFS
COMMISSIONER FOR PATENTS

REQUEST FOR EXTENSION OF TIME

A Notice of Appeal was filed on July 21, 2010, making an Appeal Brief due on or before September 21, 2010. Applicants hereby petition for a five-month extension of time under 37 CFR 1.136(a), thereby extending the response deadline to **February 21, 2011**, in order to ensure co-pendency for filing a divisional application being filed concurrently.

Submitted with this request is payment via EFS in the amount of \$2,350.00, which is the proper extension fee. If the Patent Office determines that additional fees or extensions are required, please consider this a petition therefore. The Commissioner is authorized to charge any such additional fees to Deposit Account 02-4550.

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Respectfully submitted,

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